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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,101	09/04/2001	Hiroshi Saito	040894-5703	1751

9629 7590 07/25/2005

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WASHINGTON, DC 20004

EXAMINER

JACKSON, JAKIEDA R

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/944,101	SAITO, HIROSHI	
	Examiner	Art Unit	
	Jakieda R Jackson	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 12, 2005 has been entered.

### ***Response to Amendment***

2. In response to the Office Action mailed December 15, 2004, applicant submitted an amendment filed on May 12, 2005, in which the applicants amended independent **claims 1 8, 10 and 11** to particularly point out and distinctly claim applicant's invention.

### ***Response to Arguments***

3. Applicants argue regarding independent claims 1, 8, 10 and 11 that Hirayama should not be considered prior art under 35 U.S.C. 102 since applicants submitted a verified translation of the Japanese Patent Application JP2000-267954, which was filed in Japan on September 5, 2000 and claimed priority thereto. Applicants arguments, see Remarks, filed April 11, 2005, with respect to the rejection(s) of claim(s) 1, 8, 10 and 11 under 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hatano et al.

***Claim Objections***

4. Claims 1 and 10-11 objected to because of the following informalities:
- Regarding claims 1 and 10, line 3, "a desired dictionary" should be --a desired speech recognition dictionary--.
  - Regarding claim 11, line 2 "a desired dictionary" should be --a desired speech recognition dictionary--.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1-8 and 10-11** are rejected under 35 U.S.C. 102(b) as being anticipated by Hatano et al (EP 0 935 123 A2), hereinafter referenced as Hatano.

Regarding **claim 1**, Hatano discloses a speech recognition unit and method (column 6, lines 46-52) comprising:

a plurality of speech recognition dictionaries mutually hierarchically related (figure 2A);

an extractor that extracts a desired dictionary, on the basis of frequency of the use by user, out of said speech recognition dictionaries as a list of queuing words (plural

kinds of place names or facility names which are frequently set as destination spot may be selected and registered in advance; column 8, lines 46-51);

a selector that selects a desired dictionary out of the speech recognition dictionaries (prefecture please; column 9, lines 20-31);

a storage that stores the desired dictionary selected by said selector as a list of queuing words at a higher-order hierarchy (figure 2A) than a hierarchy set beforehand (in advance) together with the normal dictionary extracted by said extractor (column 8, lines 46-51); and

a recognizer that recognizes input speech (spoken word is inputted) by comparing the input speech and the list of queuing words stored in said storage (column 8, lines 20-27).

Regarding **claim 2**, Hatano discloses a speech recognition unit and method wherein said speech recognition dictionaries comprises:

a classification dictionary storing the classification names of institutions (figure 2A, element 32 with column 8, lines 46-51); and

an institution dictionary storing the names of institutions (amusement parks, hospital, resort, etc.) which belong to respective classification of institutions (figure 2A, elements 61-63 with column 12, lines 25-33) .

Regarding **claim 3**, Hatano discloses a speech recognition unit wherein said speech recognition dictionaries comprises:

an area dictionary storing area names (city; figure 2A, element 53); and

an institution dictionary storing the names of institutions existing in any area of different areas (figure 2A, elements 64-66 with column 11, lines 30-36).

Regarding **claims 4 and 5**, Hatano discloses a speech recognition unit and method wherein said selector selects the institution dictionary as a desired dictionary (figure 2B, elements 79-81 with column 10, lines 24-29).

Regarding **claims 6 and 7**, Hatano discloses a speech recognition unit wherein said extractor extracts a dictionary at a low-order hierarchy of recognized speech as queuing words (fourth hierarchy; column 9, lines 52-55); and

wherein said extractor extracts a dictionary which belongs to a dictionary selected by said selector and which is located at a low-order hierarchy of the recognized speech extracts as queuing words (column 9, lines 52-55 with column 10, lines 50-57).

Regarding **claim 8**, Hatano discloses a speech recognition unit and method for a speech recognition unit (column 6, lines 46-52) having a plurality of speech recognition dictionaries mutually hierarchically related (figure 2A), said method comprising the steps of:

preparing dictionaries classified according to at least one narrowing-down condition (first, second, third, forth hierarchy; column 9, lines 20-43 with figure 2A) set on the basis of frequency of use by a user (plural kinds of place names or facility names which are frequently set as destination spot may be selected and registered) beforehand (in advance) together with a dictionary for narrowing down at a high-order hierarchy as objects of recognition (column 8, lines 46-51); and

recognizing input speech (column 7, lines 31-33) by using the dictionaries classified according to at least one the narrowing-down condition (first, second, third, forth hierarchy; column 9, lines 20-43 with figure 2A) set by a user beforehand (in advance; column 8, lines 46-51) and the dictionary for narrowing down at a high-order hierarchy (figure 2A),

wherein the dictionaries classified according to at least one narrowing-down condition is set by a user beforehand (in advance) are dictionaries the frequency of use of which is high (plural kinds of place names or facility names which are frequently set as destination spot may be selected and registered; column 8, lines 46-51).

Regarding **claim 10**, it is interpreted and rejected for the same reasons as set forth in the combination of **claims 1 and 6**.

Regarding **claim 11**, it is interpreted and rejected for the same reasons as set forth in **claim 10**.

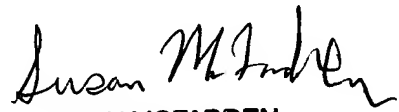
### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R Jackson whose telephone number is 571.272.7619. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571.272.7582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRJ  
July 15, 2005

  
**SUSAN MCFADDEN**  
**PRIMARY EXAMINER**